

you to understand that you're not going to be, I don't think, helping anybody, either the plaintiff or the defendant in these actions. The Small Claims Court is an absolutely excellent forum for these kinds of cases. Remember also that the bill has been amended on a couple of occasions to specifically state that the only damages to be recovered are first actual damages, actual damages. These are damages that are suffered by a store owner for the specific loss or the value of the loss of a piece of property, certain costs of maintaining the action, the filing fees and so forth and so on and attorney fees. But when you file in Small Claims Court there are no attorney fees and the Small Claims Court does not have the authority to award attorney fees, so that attorney fee provision as an element of damage would not be part of the judgment in the Small Claims Court. I think that, again, the bill, the concept of the bill is already in the law covering minors in other areas. If you don't want to put it in the Small Claims Court jurisdiction, fine. I'll just tell you, it saves money, it saves time and it's the best way to do it, but the bill still will stand and still is a good bill in my opinion. But I would...I, personally, am going to vote against the amendment. I would urge you to do that as well but as long as we're going to go forward with this bill, we ought to do it in the least costly, the most efficient way possible. Thank you.

PRESIDENT: Thank you. Senator Chambers, and then Senator Higgins, please. Senator Chambers, may I introduce some guests before you speak?

SENATOR CHAMBERS: Sure.

PRESIDENT: Senator Rogers has guests in the north balcony. We have 40 eighth graders and their teacher from the Centura Public Schools in Cairo. Would you folks please rise and be recognized? Thank you for visiting us today. Senator Chambers, please and then Senator Higgins.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I will want to check this to be certain of the drafting, but Senators Pirsch and Ashford indicated to me that Senator Smith had an amendment drafted and no guardian is responsible, no guardian at all is responsible, and Senator Ashford is shaking his head that that is correct. My amendment, again, deals with the Small Claims Court and I'll get to that guardian issue later because if we're talking about equity, maybe every guardian also should too because the guardian stands in the place of the